

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**UNITED STATES OF AMERICA**      )  
  )  
  )  
    **V.**                               )      **CASE NO: 2:06-cr-018-WKW**  
  )  
**SHERRY DIANE PETTIS**      )

**SECOND UNOPPOSED MOTION TO CONTINUE SENTENCING HEARING**

**COMES NOW** the Defendant, **Sherry Diane Pettis**, by undersigned counsel, Donnie W. Bethel, and respectfully moves this Court for an Order continuing the sentencing hearing in this case. In support of this Motion, the Defendant would show the following:

1.     Sentencing in the above-referenced case is scheduled for April 10, 2007.
2.     Undersigned Counsel was out of state performing Air Force Reserve duty from March 19, 2007, until April 5, 2007. He returned to the Federal Defenders Office on April 6, 2007, and discovered that Ms. Pettis's Supervising Probation Officer filed a Noncompliance Summary that morning. The Noncompliance Summary alleges that Ms. Pettis has committed a criminal offense by forging a prescription for medication, for which she was arrested on March 28, 2007. This allegation may have serious negative consequences for Ms. Pettis when she is sentenced in this case. Therefore, Ms. Pettis needs a continuance in her sentencing hearing so that her defense team, prior to her sentencing hearing, can adequately investigate the facts and circumstances that led to her recent arrest.
3.     Assistant United States Attorney Clark Morris does not oppose a continuance

of the sentencing hearing in this case.

**WHEREFORE**, Ms. Pettis respectfully requests that the Court grant this Motion to Continue the Sentencing Hearing.

Dated this 9<sup>th</sup> day of April, 2007.

Respectfully submitted

s/ Donnie W. Bethel  
DONNIE W. BETHEL  
Assistant Federal Defender  
201 Monroe Street, Suite 407  
Montgomery, Alabama 36104  
Phone: (334) 834-2099  
Fax: (334) 834-0353  
E-mail:[don\\_bethel@fd.org](mailto:don_bethel@fd.org)  
IN Bar Code: 14773-49

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 9, 2007, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

A. Clark Morris  
Assistant United States Attorney  
One Court Square, Suite 201  
Montgomery, Alabama 36104

Respectfully submitted,

s/ Donnie W. Bethel  
DONNIE W. BETHEL  
Assistant Federal Defender  
201 Monroe Street, Suite 407  
Montgomery, Alabama 36104  
Phone: (334) 834-2099  
Fax: (334) 834-0353  
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